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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CUSTOMS APPEAL NO. 13 OF 2004

Union of India ... Appellant

Versus

Central India Polyester Ltd. ... Respondent

Mr. A.S. Rao for the appellant.

Mr. Jaydeep Patel with Mr. Vipin Jain with Ms. Pooja Balani i/by M/s. A.S. Dayal & Associates for respondent.

CORAM : J.P. DEVADHAR &
R.D. DHANUKA,JJ.
DATED : AUGUST 22, 2012

P.C.

The counsel for the parties state that in view of the judgment of this Court in the case of Commissioner of Customs and Central Excise, Nagpur Vs. The Customs and Gold (Control) Appellate Tribunal, Mumbai and another in Central Excise Reference No. 3 of 2009 dated 20th March, 2009, the questions raised in this appeal stand concluded in favour of the assessee. In this view of the matter, we see no reason to entertain this Appeal. The Appeal is accordingly dismissed with no order as to costs.

(R.D. DHANUKA,J.) **(J.P. DEVADHAR,J.)**